# Policy Capsule

## Smart Growth Technical Session I:
## LOS Methodologies: Barrier to Infill?

### Introduction
The following is provided to help frame the discussion at the November 14, 2003 Smart Growth Technical Session. It is assumed that all session participants will have a basic knowledge of CEQA guidelines and LOS methodologies. The capsule is intended to begin a dialogue on LOS methodologies, what these mean for the viability of infill development and multi-modal transportation improvements, and the implications for CEQA reform if LOS practices are modified.

### BACKGROUND
California Environmental Quality Act (CEQA) Guidelines offer criteria for determining whether a proposed project requires further environmental review. The most commonly used tool for measuring traffic impacts, such as intersection delay times, is the "Level of Service" (LOS) measure of transportation performance. Crudely, if a proposed housing development has X number of units, current methods assume it will produce some corresponding level of auto trips. The estimated increase in the number of trips is used to calculate an increase in congestion or delay times, thus impacting the auto LOS. In most cases, an environmental review requirement is triggered if the LOS falls below a "tolerable" level of congestion. Under CEQA, the environmental impact must then be mitigated or exempted based on an "overriding consideration." Mitigation most often comes in the form of capacity expansions for autos, such as road and intersection widening, more parking, and signalization to relieve vehicular congestion. CEQA guidelines and typical LOS methodologies treat transportation improvement projects similarly. For example, if it is determined that the addition of a bike lane to a street will reduce auto LOS, it will most likely trigger an environmental review.

Under CEQA, jurisdictions have some flexibility in deciding what they "care about" or what levels of congestion are "significant." In some instances, a city can make a "negative declaration" or "mitigated negative declaration" for environmental clearance of an infill housing or transportation improvement project.

The recently passed SB1636 (Figueroa) "infill opportunity zones" law provides additional flexibility for jurisdictions in counties with populations over 400,000. Infill opportunity zones, areas zoned for new compact residential or mixed-use within 1/3 mile of a transit stop with frequent service, can be declared exempt from LOS traffic standards specified in the State Congestion Management Act (SB1636, however, does not exempt projects from CEQA). Under SB1636, cities can either employ alternative Congestion Management Program (CMP) LOS standards for facilities identified by the CMP, which would either account for the broader regional environmental benefits of qualifying projects, or approve a list of flexible LOS mitigation options that would enhance walkability and transit service. Notably, Marin, Napa and Solano counties are not eligible to declare any zones under SB1636.

### THE ISSUES
Some view current CEQA project review requirements and LOS methodologies as barriers to infill (housing and mixed-use) development and transportation (multi-modal) improvements. The argument is that current impact analysis methods create a bias against such developments. The most commonly cited issues with LOS methods include:

<u>LOS</u>
- Institute of Transportation Engineers (ITE) LOS method for trip calculations is based on suburban model (not appropriate for urban settings).
- LOS analysis at the project level traditionally does not consider policies that would change mode split, even though the models can usually consider them.

- Typical LOS analysis (capacity ratios) for transit, bicycles and pedestrians do not reflect factors most important to the quality of the transit, bicycle and pedestrian experience.
- LOS analysis looks at intersection delay times mainly based on volume of traffic coming into the intersection, the capacity of travel lanes to carry traffic, and the ratios among the conflicting turning movements of the traffic.
- LOS analysis does not consider sub-regional (county) or regional (Bay Area) environmental benefits of infill development, especially for projects that reduce car use.

Commonly cited CEQA issues include:

CEQA
- Cities are reluctant to exercise exemption options under CEQA.
- CEQA project impact analysis does not account for urban form/function context.
- Traditional LOS analysis has thresholds for congestion triggering environmental reviews when, in a smart growth context, those thresholds may be too low. Furthermore, the significance thresholds too readily force environmental reviews that are costly, cause delays, and impede project implementation.
- Motor vehicle LOS analysis, as an input to CEQA analyses, does not account for the air quality benefits of transit and non-motorized modes.

Proponents of Smart Growth claim that, together, CEQA guidelines and LOS methodologies do not address the trip reduction benefits of infill and multi-modal transportation projects. Others suggest that to produce infill development, cities need only exercise the flexibility available under current CEQA guidelines.

## KEY QUESTIONS

- How can LOS methodologies be restructured to account for and reflect the environmental benefits of infill development and transit (and other non-auto) transportation improvements?
- What flexibility do cities have in setting LOS tolerance thresholds under current CEQA Guidelines to facilitate smart growth infill?
- Are measures such as SB1636 "transit opportunity zones" having an impact and should such measures be broadly applied, or should greater focus be placed on changing CEQA to better account for the environmental benefits of infill? (Note: SB1636 applies to CMP facilities and does not exempt projects from CEQA).

## NEXT STEPS, STRATEGIES TO CONSIDER

- Identify a series of analytical tools (a multi-modal LOS or "Smart Growth LOS") that accounts for system-wide marginal impacts; create LOS method that captures cross-mode tradeoffs and benefits.
- Create best practices guidelines to help Bay Area jurisdictions exercise flexibility available under current CEQA Guidelines.
- Propose legislation to extend the application of SB1636 to counties with populations under 400,000, so long as sufficient criteria for infill developments are met.

---

Sources:

- Rachel Hiatt, Tilly Chang, Jose Luis Moscovich, SFCTA Draft SAR 02-2 on "*Transportation System Level of Service (LOS) Methodologies*."

Credits:

- Author: Patrick Duffy, Regional Planner, ABAG

- Interview: Jeff Tumlin, Nelson Nygaard

- Technical Review: Alex Amoroso, ABAG; Nashua Khalil, Val Menotti, Jeff Ordway, BART; Sherman Lewis, BAASC & California State University Hayward